

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1287 be amended to read as follows:

- 1 Page 1, between lines 14 and 15, begin a new paragraph and insert:
- 2 "SECTION 2. IC 9-17-3-9, AS ADDED BY P.L.83-2008, SECTION
- 3 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 4 2009]: Sec. 9. (a) An individual whose certificate of title for a vehicle
- 5 indicates that the individual is the sole owner of the vehicle may create
- 6 an interest in the vehicle that is transferrable on the death of the
- 7 individual by obtaining a certificate of title conveying the interest in the
- 8 vehicle to one (1) or more named individuals as transfer on death
- 9 beneficiaries.
- 10 (b) Subject to subsection (e), an interest in a vehicle transferred
- 11 under this section vests upon the death of the transferor.
- 12 (c) A certificate of title that is:
- 13 (1) worded in substance as "A.B. transfers on death to C.D."; and
- 14 (2) signed by the transferor;
- 15 is a good and sufficient conveyance on the death of the transferor to the
- 16 transferee.
- 17 (d) A certificate of title obtained under this section is not required
- 18 to be:
- 19 (1) supported by consideration; or
- 20 (2) delivered to the named transfer on death beneficiary;
- 21 to be effective.
- 22 (e) Upon the death of an individual conveying an interest in a
- 23 vehicle in a certificate of title obtained under this section, the interest
- 24 in the vehicle is transferred to each beneficiary who:

(1) is named in the certificate; and

(2) survives the transferor.

(f) A transfer of an interest in a vehicle under this section is subject to IC 6-4.1.

(g) A certificate of title designating a transfer on death beneficiary is not testamentary.

(h) In general, IC 32-17-14 applies to a certificate of title designating a transfer on death beneficiary. However, a particular provision of IC 32-17-14 does not apply if it is inconsistent with the requirements of this section or IC 9-17-2-2(b).

SECTION 3. IC 9-31-2-30, AS ADDED BY P.L.83-2008, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 30. (a) An individual whose certificate of title for a watercraft indicates that the individual is the sole owner of the watercraft may create an interest in the watercraft that is transferrable on the death of the individual by obtaining a certificate of title conveying the interest in the watercraft to one (1) or more named individuals as transfer on death beneficiaries.

(b) Subject to subsection (e), an interest in a watercraft transferred under this section vests upon the death of the transferor.

(c) A certificate of title that is:

(1) worded in substance as "A.B. transfers on death to C.D."; and

(2) signed by the transferor;

is a good and sufficient conveyance on the death of the transferor to the transferee.

(d) A certificate of title obtained under this section is not required to be:

(1) supported by consideration; or

(2) delivered to the named transfer on death beneficiary;

to be effective.

(e) Upon the death of an individual conveying an interest in a watercraft in a certificate of title obtained under this section, the interest in the watercraft is transferred to each beneficiary who:

(1) is named in the certificate; and

(2) survives the transferor.

(f) A transfer of an interest in a watercraft under this section is subject to IC 6-4.1.

(g) A certificate of title designating a transfer on death beneficiary is not testamentary.

(h) In general, IC 32-17-14 applies to a certificate of title designating a transfer on death beneficiary. However, a particular provision of IC 32-17-14 does not apply if it is inconsistent with the requirements of this section or IC 9-31-2-16."

Page 15, line 2, after "may" insert "**not**".

Page 29, delete lines 22 through 23.

Page 29, line 24, delete "(3)" and insert "**(1)**".

- 1 Page 29, line 27, delete "(4)" and insert "(2)".
- 2 Page 29, between lines 28 and 29, begin a new paragraph and insert:
- 3 **"(f) Subject to IC 9-17-3-9(h) and IC 9-31-2-30(h), this chapter**
- 4 **applies to a beneficiary designation for the transfer on death of a**
- 5 **motor vehicle or a watercraft."**
- 6 Renumber all SECTIONS consecutively.
(Reference is to HB 1287 as printed February 20, 2009.)

Representative Van Haaften